

**UNITED STATES v. MARK ANTHONY GALLEGOS**  
**U.S.D.C. Case No. 08CR1552-W**

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# **EXHIBIT A**

VIDEO RECORDING TRANSCRIPTION/TRANSLATION  
INTO ENGLISH, RECORDED ON APRIL 19, 2008  
AT THE BORDER PATROL STATION IN  
CALEXICO, CALIFORNIA IN THE CASE OF:  
U.S. v. MARK ANTHONY GALLEGOS

Legend

PARGA: Agent Adrian Parga  
TEMPLIN: Agent Scott Templin  
AYON: Ismael Ayon Fernandez

[OV]: Overlapping Voices

Note: Text in *italics* reflects what was  
spoken in English.

[The following is a transcription/translation of the interview of Ismael Ayon  
Fernandez, from minute 14:00 of the recording to the end. It was prepared to  
the best of my knowledge and ability. Certified on June 16, 2008. Carmen  
Alicia De La Parra. Federal Court Certification No. 03-039.]

1  
2 **PARGA:** Why did you enter into the United States?

3 **AYON:** To... have a much better future.

4 **PARGA:** How were you planning to enter into the United States,  
5 legally or illegally?

6 **AYON:** Illegally.

7 **PARGA:** How did you make the arrangements?

8 **AYON:** Uh, well, the arrangements, uh, to enter, to enter, and  
9 well, pay for the entry.

10 **PARGA:** Okay, did you, did you know the people from Mexico with  
11 whom you got together?

12 **AYON:** No.

13 **PARGA:** Okay, but what did they tell you?

14 **AYON:** They got me over and that guy picked me up at the house,  
15 and he got me into the house.

16 **PARGA:** How much were they going to charge you?

17 **AYON:** Well, I don't know, but approximately two, two thousand, I  
18 think.

19 **PARGA:** The people who you spoke with in Mexico, were they guides?

20 **AYON:** They just picked me up and crossed me over here, I don't, I  
21 don't know if they are guides or I don't know.

22 **PARGA:** Okay, and were they, the people who you spoke with, were  
23 they in Mexico?

24 **AYON:** Uh, yes.

25 [Pause]

26 **PARGA:** Okay, and the person who got you in the United States,  
27 was, was the person from the United States? The one you spoke  
28 with?

**AYON:** The one I spoke with?

1  
2 **PARGA:** Uh huh.

3 **AYON:** Uh...

4 **PARGA:** With the person who was going to get you out of the house,  
5 was he/she from the United States?

6 **AYON:** Out of the house, yes.

7 **PARGA:** After jumping the fence, what did, what did the guide tell  
8 you? What did the guides tell you? Where, to do what? What did  
9 they tell you to do?

10 **AYON:** They just got me over and put me in the house.

11 [OV]

12 **PARGA:** Did they tell you where to go?

13 **AYON:** From where you got me. Huh?

14 **PARGA:** Did they tell you where to go?

15 **AYON:** Yes.

16 **PARGA:** How were you going to get out from where you entered?

17 **AYON:** From where?

18 **PARGA:** From where you entered. Where did you enter?

19 **AYON:** There, in the little room. There, where I was taken out  
20 from.

21 **PARGA:** A little room?

22 **AYON:** Yes.

23 **PARGA:** Where was the little room located?

24 **AYON:** There, next to the border.

25 **PARGA:** Was it in front of the house, in the back of the house,  
26 where was it?

27 **AYON:** In the back of the house.

28 **PARGA:** Okay, and how were you going to get out from there?

**AYON:** Well, I don't know. I don't know that.

1  
2  
3 **PARGA:** You don't know?

4 **AYON:** No.

5 **PARGA:** Weren't you told that someone...

6 **AYON:** No, I wasn't told anything.

7 **PARGA:** Was there food or water there inside?

8 **AYON:** No.

9 **PARGA:** While you were there, in the little room, did anyone talk  
10 with you?

11 **AYON:** Yes.

12 **PARGA:** Who opened the door?

13 **AYON:** The dude of the photo you showed me.

14 **PARGA:** And what did he tell you through the door?

15 **AYON:** He only called me by my name and took me out of there.

16 **PARGA:** So he called you by your name?

17 **AYON:** Uh huh.

18 **PARGA:** What did he say exactly? What did he say?

19 **AYON:** Ismael, Ismael, he says, come out, and he took me into the  
20 house.

21 **PARGA:** So he took you into the house?

22 **AYON:** Uh huh.

23 **PARGA:** And then?

24 **AYON:** Well, from there I was caught, that's it, he didn't tell me  
25 anything else.

26 **PARGA:** Who opened the door?

27 **AYON:** He did.

28 **PARGA:** He did?

**AYON:** No, no, I was the one who opened the door from inside.

**PARGA:** Okay, and once you entered the house, what were you told?

1  
2  
3 **AYON:** I was told that, not to say, that I had come in alone.

4 **PARGA:** Okay, so he told you to say that?

5 **AYON:** Uh huh.

6 **PARGA:** That you had come in alone?

7 **AYON:** Alone.

8 **PARGA:** And from there, what? Were you directed to a place or...

9 **AYON:** No, just there, that's the only thing he said.

10 **PARGA:** And what did you do afterwards?

11 **AYON:** Afterwards, well, you came in and you picked me up there.

12 **PARGA:** Where were you inside the house?

13 **AYON:** I was inside the house.

14 **PARGA:** But in what part of the house?

15 **AYON:** Next to the bed, underneath the bed.

16 **PARGA:** Under the bed?

17 **AYON:** Uh huh.

18 **PARGA:** Were you told, did anyone tell you to hide under there?

19 **AYON:** Yes.

20 **PARGA:** Who told you?

21 **AYON:** The dude.

22 **PARGA:** Okay, okay, I'm going to give you some instructions for  
23 the examining witness. Inside this folder are the photographs of  
24 six individuals for identification purposes. The photographs are  
25 numbered from one to six. You will be asked if you recognize any  
26 of those individuals. If that is the case, please do not place  
27 any mark on these documents, a form will be given to you for that  
28 purpose. While you examine the photographs, keep in mind that the  
styles in hair-dos, the beards and the moustaches often change.  
One must also remember that photographs don't always reflect the

1  
2 true color of the person's skin. Pay no attention to the  
3 differences of the styles in the photographs nor if like this  
4 they are in color or black and white. Any comment res, resle,  
5 related to the identity of an individual whose photograph appears  
6 in this document, or with your inhib, inability to identify  
7 him/her should be done solemn, uh, solely before the Immigration  
8 officer showing it to you, and it should not be done before any  
9 other person or witness. In the in, inner cover page of this for,  
10 form, you should place your initials and today's dates on the  
11 indicated lines. This will not mean that you have recognized any,  
12 any of the individuals whose photographs are included, it only  
13 indicates for the record that this was the particular set of  
14 photographs that you examine, examined. Do you understand these  
15 inst, instructions?

16 **AYON:** Yes.

17 **PARGA:** *I will now show the witness photo line-up number one.*

18 Okay, do you recognize one of these individuals who help, who  
19 helped you?

20 **AYON:** Yes.

21 **PARGA:** Okay, can you point? What number is it that you are  
22 indicating?

23 **AYON:** Number one.

24 **PARGA:** Number one?

25 **TEMPLIN:** And what did number one do?

26 **AYON:** Uh, he put me inside the little house there, into the  
27 house.

28 **PARGA:** *Let the record show that the witness identified photo  
number one, as the per, as Mark Gallegos, as person that smuggled*



1  
2 him. Okay, is there anything else that you want to say in regards  
3 to this matter?

4 **AYON:** Well, I just tell the truth.

5 **PARGA:** *This concludes this statement and the date is April 19<sup>th</sup>,*  
6 *2008, and the time is 6:47 p.m. End of statement.*  
7